

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

No. C 07-4762 PJH

**ORDER RE PLAINTIFF'S REQUEST
FOR CLARIFICATION**

CHARLES CATHCART, et al.,
Defendants.

On November 19, 2008, the court referred all discovery matters in this case to Magistrate Judge Spero for resolution pursuant to Civil Local Rule 72-1. On May 8, 2009, Magistrate Judge Spero granted the United States' ("plaintiff") motion for leave to take five additional depositions pursuant to Rule 30 of the Federal Rules of Civil Procedure. On May 14, 2009, defendant Charles Hsin ("Hsin") filed objections to this ruling. On May 15, 2009, Hsin filed an administrative motion seeking an order staying the depositions of Randolph Anderson, Timothy Scrantom, Allison Skinner and Franklin Thomason until this court rules on his objections to Magistrate Judge Spero's Order.

On May 19, 2009, the court issued an Order granting Hsin's administrative motion to stay depositions, stating that plaintiff "shall not depose any person until this court rules on Hsin's objections to Magistrate Judge Spero's Order." Presently before the court is a letter submitted by plaintiff seeking clarification as to whether the stay imposed applies to the depositions of Nigel Wood and Colin Bowen, scheduled for May 27 and 28, 2009, respectively. In its letter, plaintiff requests that the court clarify its Order to allow these depositions to take place as scheduled because they are not among the five additional depositions authorized by Magistrate Judge Spero and objected to by Hsin. Plaintiff's request is GRANTED. The court hereby clarifies that the May 19, 2009 stay was intended

1 to apply only to the five additional depositions authorized by Magistrate Judge Spero on
2 May 8, 2009. The depositions of Wood and Bowen shall proceed as scheduled.

3 **IT IS SO ORDERED.**

4 Dated: May 20, 2009



PHYLLIS J. HAMILTON
United States District Judge